HIGH COURT OF CHHATTISGARH AT BILASPUR
DIVISION BENCH

CORAM: HON'BLE SHRI JAGDISH BHALLA, Ag. CJ. &
HON'BLE SHRI SATISH K. AGNIHOTRI, J.

Writ Petition (C) No. 5821 of 2006

PETITIONER — Gevra Coal Transport Private Limited, an Ex-Serviceman Company, Incorporated under the Companies Act, 1956, having its registered office at H-36, Kirti Nagar, New Delhi through its Authorized Signatory, Sub. Ranbir Singh.

VERSUS

RESPONDENTS :

1. Union of India, through the Secretary, Ministry of Coal, New Delhi.
2. Director General Resettlement, West Block-3, R.K. Puram, New Delhi.
3. Coal India Limited, (A Government of India Undertaking), incorporated under companies Act, 1956, having its Registered office at 10, Netaji Subhash Road, Kolkata - 700 001 (W.B.) Through its Chairman-cum-Managing Director.
4. South Eastern Coalfields Limited, A subsidiary Coal Company of Coal India Ltd., having its registered office at Seepat Road, Bilaspur (Chhattisgarh) through its Chairman-cum-Managing Director.
5. General Manager (CMC-Contract Management Cell), South Eastern Coalfields Limited, SECL Bhawan, Seepat Road, Bilaspur (Chhattisgarh)

Writ Petition under Article 226 of the Constitution of India

Writ Petition (C) No. 7088 of 2006

PETITIONER — M/s Vinayak Ex-Servicemen Coal Carriers Private Limited, An Ex-Servicemen Coal Transport Company incorporated through DGR having its

registered office at R.O. 31 Balaji Enclave Karkhana, Secunderabad (AP) and local office at OCM - Chhal, District Raigarh (Chhattisgarh) through its Power of Attorney Holder Shri Ram Kishore Singhal.

VERSUS

RESPONDENTS :

1. Union of India, through the Secretary, Ministry of Coal, New Delhi.

2. Director General Resettlement, West Block-3, R.K. Puram, New Delhi.

3. Coal India Limited, (A Government of India Undertaking), incorporated under companies Act, 1956, having its Registered office at 10, Netaji Subhash Road, Kolkata - 700 001 (W.B.) Through its Chairman-cum-Managing Director.

4. South Eastern Coalfields Limited, A subsidiary Coal Company of Coal India Ltd., having its registered office at Seepat Road, Bilaspur (Chhattisgarh) through its Chairman-cum-Managing Director.

5. General Manager (CMC-Contract Management Cell), South Eastern Coalfields Limited, SECL Bhawan, Seepat Road, Bilaspur (Chhattisgarh)

Writ Petition under Article 226 of the Constitution of India

Writ Petition (C) No. 5816 of 2006

PETITIONER

Chhattisgarh Coal Transport Private Limited, an Ex-Serviceman Company, Incorporated under the Companies Act, 1956, Having its registered Office at 110 (E), Phase- II, Mayur Vihar, New Delhi 92 Though its Resident Director, Honorary Captain Omprakash Sheokand, S/o Shri Late Shri Banwari Lal Sheokand.

VERSUS

FIXED BEFORE HON'BLE Justice Sri. LC
Hon'ble Justice Sri. Dhirendra

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RESPONDENTS :

1. Union of India, through the Secretary, Ministry of Coal, New Delhi.
2. Director General Resettlement, West Block-3, R.K. Puram, New Delhi.
3. Coal India Limited, (A Government of India Undertaking), incorporated under companies Act, 1956, having its Registered office at 10, Netaji Subhash Road, Kolkata - 700 001 (W.B.) Through its Chairman-cum-Managing Director.
4. South Eastern Coalfields Limited, A subsidiary Coal Company of Coal India Ltd., having its registered office at Seepat Road, Bilaspur (Chhattisgarh) through its Chairman-cum-Managing Director.
5. General Manager (CMC-Contract Management Cell), South Eastern Coalfields Limited, SECL Bhawan, Seepat Road, Bilaspur (Chhattisgarh)

Writ Petition under Article 226 of the Constitution of India

Present : Shri Manindra Shrivastava, Senior Advocate with Shri Amrito Das; Shri Shashank Thakur, counsel for the petitioners.
Thakur Vijay Singh, Assistant Solicitor General with Shri S.K. Beriwal, Standing Counsel for Union of India / respondents No.1 & 2.
Shri Ajit Kumar Sinha with Shri P.S. Koshy, Advocate for respondents No. 3 to 5.

ORAL ORDER
(Passed on 25th October, 2007)

The following oral order of the Court was passed by **Hon'ble Jagdish Bhalla, Ag. CJ.**

Since question involved in all these three writ petitions is similar, they are being heard and disposed of by this common order.

A fair statement has been made on behalf of respondents No.3to5 that the contract of the petitioners will continue till its logical

end and whatever amount of work they are getting for the last one year, they will continue to get the same. Accordingly, interest of justice will suffice if the petitions are disposed of in the light of the statement made by learned counsel for the respondents No.3 to 5. It is clarified that in case the petitioners' contract is affected hereinafter, they would be at liberty to file fresh writ petitions and filing of these petitions will not come in the way of the petitioners. Consequences to follow and the respondents may pursue the tender notice. However, they shall act according to the memorandum of undertaking dated 16-04-1999.

With these observations, the writ petitions stand finally disposed of. Interim order granted earlier, if any, stands discharged.

Sd/-
Satish K.Agnihotri
Judge

subbu.

Sd/-
Acting Chief Justice